THE VIRGINIA GAZETTE, & GENERAL ADVERTISER

RICHMOND—PRINTED (EVERY TUESDAY AND FRIDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

NUMBER 985] FRIDAY, MARCH 26, 1802. [VOLUME XVI.

Pittfylvania county, Feb. 9, 1802.

THE enclofed, you will be fo good as to publifh, together with the Toafts* fent you fome time fince, and you will very much oblige N. W. WILLIAMS.

Mr. Auguftine Davis.

* *The* Toafts *here alluded to were either returned, or are miflaid.*

TAKE NOTICE, I fhall on the 18th day of the next term of the High Court of Chancery, to be held in the city of Richmond, move that honorable Court to have the depofition of Wafhington Thompfon, now filed as evidence in the fuit pending in that honorable Court, in which I am plaintiff, and you and others defendants, to be expunged from the records of that honorable Court—and then the fame to be burnt by the common hangman under the gallows

Yours, &c. MAT. CLAY.

12th February, 1802.

To *Sarah Williams*, Executrix of Joſeph Williams, and Adminiſtratrix of Robert Williams and others, defendants.

FOR SALE,

SHERRY WINE,

Of a ſuperior quality, in quarter caſks, for caſh, or on 60 or 90 days credit, for approved Notes.

Prentis, Pollard & Johnſton.

March 22, 1802.

Patent Balances.

THE patentee of this very uſeful invention (which unites the accuracy of ſcales to the conveniency of ſteelyards) has ſent a few pair to the ſubſcriber, for ſale.

They are of different ſizes, weighing from a quarter of a pound to one hundred, from one pound to three hundred, and from ten pounds to three thouſand weight. They are found to anſwer all the purpoſes of weighing with the greateſt preciſion; inſomuch that they are uſed generally in Boſton, not only by the merchants, but at the cuſtom-houſe, and by all the public officers of the ſtate of Maſſachuſetts, their uſe being authorized by an act of that Legiſlature. From experiments made here they are found to be correct by the ſtandard, which together with their convenience muſt give them a great preference to any thing of the kind now in uſe.

E. W. ROOTES.

March 8, 1802.

Old Dare-Devil

STANDS at my houſe in Cheſterfield county on Appomatox river, fifteen miles above Peterſburg, ten from the court houſe, and will cover mares by the ſeaſon at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of Auguſt, when the ſeaſon expires. Mares may be fed with grain at twenty-five cents per day, which muſt be paid before they are taken away.—It is needleſs to ſwell the advertiſement with his pedigree and performance, as they have been ſo often aſcertained heretofore—Undoubtedly he was as fleet a horſe as any in England in his day—as to his blood, it is from the firſt croſſes; that is, Herod and Eclipſe. Dare Devil's get ſpeaks for themſelves, as they are the beſt racers on the continent, which was made manifeſt by their run laſt fall. They won at Richmond, Peterſburg, New-Brunſwick, Hick's-Ford, Norfolk, Warrington and Tarborough, beſides at many other places. No reſponſibility for accidents.

THOMAS GOODE.

February 12, 1802.

N. B. One Dollar to the groom.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glaſgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the preſent and approaching Seaſon, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK,
Of Peterſburg, and
ROBERT POLLOK & Co.
Of Mancheſter,

Are alſo now opening their Supplies of

FALL AND WINTER GOODS

Richmond, October 8, 1801.

Genesſee.

For Sale, all the Subſcriber's

MILLS, HOUSES, and improved FARMS,

In the counties of Ontario and Steuben, in the ſtate of New-York.

TO meet the views of the numerous applicants for this valuable property, and to give an opportunity of acquiring it on fair and equal terms, the ſubſcriber offers it for ſale at Public Auction, on Wedneſday the 15th day of June next, at Powell's Hotel in Geneva, on the favourable terms of one ſixth Caſh, and the remainder payable in ſix annual payments with lawful intereſt.

The mills are ſituated at Hopeton, Lyons, Sodus, Genneſee Falls, Caledonia, Hemlock-Lake, Painted-Poſt, Bath and Caniſteo, ſeveral of which are merchant mills, and the greater part of them are erected on the navigable waters leading to Montreal, Albany, and Baltimore.

The houſes are ſituated in Bath, Painted Poſt, Hopeton, Geneva, Lyons and Sodus, and the improved farms are in the neighbourhood of theſe towns. All of which will poſitively be ſold, except the houſe and farm occupied by the ſubſcriber, near Bath.

CHARLES WILLIAMSON.

Bath, February 1, 1802.

FOR SALE,

At firſt coſt, a northern built

COACHEE,

And a pair of HARNESS, which has never been uſed.

THE cauſe of its ſale is, that it is not ſuch a carriage as was directed. It may be ſeen, and the price known, by applying to the printer of this paper.

Richmond, March 13, 1802.

MARSHAL's SALE.

ON Thurſday the firſt day of April next, 1802, on the plantation where col. William Fleming now reſides, in the county of Cheſterfield, WILL BE SOLD, to the higheſt bidder, for Ready Money, the following property, viz.

THIRTY-TWO SLAVES;

Davy, Young Davy, Dover, Will, Toney, Harry, York, Little York, Lucy, Patty, Polly, John, London, Maria, Amy, Charles, Beckey, Spencer, Dolly, Nelly, Sam, Frederick, Jany, Betſey, William, Simon, Jemmy, Nelly, Sally, Violet, Violet, and Dick.

STOCK.

Eight Horſes, forty head of Cattle, including three yoke of Oxen; forty old Sheep, twenty-four Lambs, and twenty-five head of Hogs.

CARRIAGES.

One Coachee, one Horſe Tumbril, and one Ox Cart.

HOUSEHOLD FURNITURE.

One double keyed Harpſicord, two Dreſſing Tables, two Book Caſes, two Cloths' Preſſes, one Deſk, two Dining Tables, two Side Boards, three Looking Glaſſes, three dozen Chairs, two large painted Buffets, with glaſs doors; ſix Beds and Furniture, four Carpets, one large Rum Caſe, with bottles, holding 24 gallons; and a great variety of Glaſs and China Ware, with a number of other articles too tedious to enumerate.

BOOKS.

Encyclopœdia, American edition, 18 vols. Lock's Works, complete; Moll's Geography, folio; Borchave's Chymiſtry, Cullin's Materia Medica, Ditto Practice of Phyſic, with Rotherham's Notes, 4 vols. thirteen vols. of Pope's Works, nine vols. Plutarch's Lives, 6 vols. Rollin's Bell Letters, four vols. Cicero's Orations, three vols. Ditto Letters, three vols. Ditto Epiſtles to Atticus, two vols. Ditto Morals, two vols. Monteſque's Spirit of Laws, two vols. Sidney on Government; and a great variety of other valuable books.

The property of William Fleming, taken to ſatisfy an execution which iſſued on a judgment obtained late in the Court of the United States, for the Middle Circuit, in the Virginia Diſtrict, by Thomas Main, executor of John Hyndman, who was ſurviving partner of James Buchanan and Company, againſt the ſaid William Fleming.

Among the Negroes named in this advertiſement, there are ſeveral valuable Carpenters and Houſe Servants.

The ſale will commence at eleven o'clock on the day and at the place above named, and will continue from day to day until the whole of the above property is ſold or ſo much thereof as will ſatisfy the above mentioned execution and the legal coſts.

Joſeph Scott,
Marſhal E. V. D.

Doctor Cohen,

PHYSICIAN & SURGEON,

From Hamburgh, in Germany,

STUDENT in the Hoſpital of Copenhagen for 7 years, reſpectfully informs the inhabitants of Richmond and its vicinity, that he has arrived in this city, and cures with ſpeed and perfect ſafety, the following diſeaſes, viz: Rheumatic pains; Conſumption; Fitts; Venereal Diſeaſe without the uſe of Mercury; Cancers, without cutting; Dropſy, without tapping; Tooth Ache, without drawing; and all kinds of Sores.

Dr. COHEN may be ſpoken with at Mr. ROBERT DAVIS's Tavern, near the Spout Spring, every day, from 8 o'clock in the morning until 12, and from 2 o'clock until 8, P. M Letters from the country, (poſt paid) duly attended to.

N. B. Poor perſons cured GRATIS, provided they have a ſufficient proof of their indigence.

Richmond, March 19, 1802.

VIRGINIA, Bedford, March 5, 1802.

SIRS,

PLEASE to take notice, that at the Poſt-Office, in the town of Greenock, and Kingdom of Great Britain, on the 16th, 17th, and 18th days of Auguſt next, between the hours of 10 in the forenoon, and 4 in the afternoon, and on the two ſucceeding days, between the ſame hours, (if needful) I propoſe to take the depoſitions of one or more witneſſes; that on the 19th, 20th, and 21ſt of the ſame month, between the ſame hours, at the Poſt Office in Glaſgow, in the ſame Kingdom, I propoſe to take the depoſitions of one or more witneſſes; and that on the 23d, 24th, and 25th days of the ſame month, between the ſame hours, (if needful) I propoſe to take the depoſitions of one or more witneſſes, in the city of London, at the Virginia Coffee-Houſe, in the ſame Kingdom, all in the ſuit which is now depending in the Circuit Court of the United States, for the diſtrict of Virginia, wherein you are Adminiſtrators and Repreſentatives of the Plaintiffs, and I am Defendant.

I am, Sirs,
Your Humble Servant,
JAMES CALLAWAY,

One of the Defendants in the ſuit, Dobſon, Delora & Walker, vs. Trents and Callaway.

Meſſrs. Mathew Dobſon, and Joſhua Dobſon, Adminiſtrators of John Dobſon, dec'd.

Wanted as a Tutor,

IN a private family, a perſon who is capable of teaching the Engliſh and Latin Languages, alſo writing and Arithmetic. Such a one who can come well recommended, as to his ſobriety and gentlemeanor will meet with generous encouragement. Apply to the printer hereof.

Feb. 15, 1802.

Lands and Negroes

FOR SALE.

BY VIRTUE of a Deed of Truſt made to the ſubſcribers by *Benjamin Toler, Thomas Hooper,* and *Henry Toler, jun.* to ſatisfy a judgment of Henrico court obtained by Henry S. Shore, as attorney in fact for the late houſe of William Anderſon & Co. of London, will be ſold, at Hanover court houſe, on Wedneſday the 28th day of April next, being court day, at public auction, for ready money, the five following

Tracts of Land,

Belonging to the ſaid THOMAS HOOPER, to wit:

One Tract containing eighty ſeven and a half acres, more or leſs; one other tract of 107 acres; one other tract of 50 acres; one other tract of 7 acres, and one other tract of 75 acres, more or leſs. The four firſt tracts of Land adjoin each other, and are within about three miles of Hanover-Town, in Hanover county, and adjoin the lands of William Hundley, John Haw, Thomas Green, Jeremiah Hooper, and others. The laſt mentioned tract lies in Henrico county, about 5 miles below the city of Richmond, and is the ſame which the ſaid Hooper bought of Dabney Miller. Alſo

59 Valuable Slaves,

among which are two good Blackſmiths and a Cooper.

Charles Copland,
Charles Johnſton, } Truſtees.

Richmond March 16, 1802.

HOUSE of REPRESENTATIVES
OF THE
UNITED STATES.

February 18.

Debate on the bill received from the ſenate, entitled "An act to repeal certain acts reſpecting the organization of the courts of the United States."

(CONTINUED.)

[Mr. GILES's *Speech continued from our laſt.*]

Mr. *Giles* ſaid, we are now called upon to rally round the conſtitution as the ark of our political ſafety. Gentlemen, diſcarding all generaliſing expreſſions, and the ſpirit of the inſtrument, tie down all conſtruction to the ſtrict letter of the conſtitution. He ſaid it gave him great pleaſure to meet gentlemen on this ground; and more ſo, becauſe he had long been in the habit of hearing the ſame gentlemen ſpeak of the expreſſions of "the common defence and general welfare," as the only valuable part of the conſtitution, that they were ſufficient to obliterate all the ſpecifications, and limitations of power. That the conſtitution was a mere noſe of wax, yielding to every impreſſion it received. That every "opening wedge," which was driven into it, was highly beneficial, in ſevering it under the limitations & reſtrictions of power. That the republicaniſm it ſecured, meant any thing or nothing. It gave him therefore great pleaſure at this time to obey the injunctions of gentlemen in rallying round the conſtitution as the ark of our political ſafety, and of interpreting it by the plain and obvious meaning and letter of the ſpecified powers. But, he ſaid, as if it was always the unfortunate deſtiny of theſe gentlemen to be upon extremes, they have now got round to the oppoſite extreme point of the political compaſs, and even beyond that point.—For, he ſaid, they not only tie down all conſtruction to the letter of the inſtrument, but they tell us that they ſee, and call upon us alſo to ſee, written therein, in large capital characters, "the indefinite independence of judges;" which, to the extent they carry the meaning of the term, is neither to be found in the letter or ſpirit of that inſtrument, or in any other political eſtabliſhment, he believed, under the ſun. Mr. Giles ſaid, he rejoiced that this ſubject was now to be diſcuſſed; he thought the criſis peculiarly auſpicious for the diſcuſſion. He ſaid the European world, with which the United States have the moſt relations, is now tranquilized. The tremendous ſcenes of blood and revolution, which had agitated that portion of the globe, had at length ſubſided into profound peace; and had left mankind, in ſilent amazement, to retroſpect the wonderful events which were paſſed; and he hoped, with calm deliberation to improve the leſſons they had furniſhed for the benefit of mankind in time to come. The intereſts and ſympathies, which the people of the United States felt in theſe events, no longer turn their attention from their own internal concerns; arguments of the higheſt conſideration for the ſafety of the conſtitution, and the liberty of the citizens, no longer receive the ſhort reply, French partizans! Jacobins! Diſorganizers! And altho' the gentleman from North Carolina, ſees, or thinks he ſees, the deſtructive *ſpirit* mount in the whirlwind and direct the ſtorm; let him be conſoled by the information, 'that all theſe our actors are *mere ſpirits* and are diſſolved into thin air.' Yes, ſir, theſe magical deluſions are now vaniſhed, and have left the American people and their congreſs in their real perſons, and original American characters, engaged in the tranſaction of American concerns.

Upon taking a view of our internal ſituation, he obſerved, although party rage may not be done away, it may be ſaid, its higheſt paroxiſm is paſt. And although the gentleman from New-York (Mr. T. Morris) yeſterday obſerved, that the preſident had commenced a ſyſtem of perſecution; he ignorant, he ſaid, he was of the exiſtence of ſuch a ſyſtem, that he could not conceive to what the gentleman alluded. It is ſome time, Mr. Chairman, ſince a member of this houſe, and ſundry printers throughout the United States, have been amerced and impriſoned to appeaſe the vengeance of an unconſtitutional ſedition act, merely for publiſhing their own ſentiments, which happened to be unpalatable to the then exiſting adminiſtration! It is ſometime, ſir, ſince we have ſeen judges who ought to have been independent, converted into political partizans, and like executive miſſionaries, pronouncing political harangues throughout the United States! It is ſome time, ſir, ſince we have ſeen the zealous judge, ſtoop from the bench to look out for more victims for judicial vengeance! It is ſome time ſince we have ſeen the ſame judicial impetuoſity drive from the bar, the moſt reſpectable counſel, who humanely propoſed to interpoſe between a friendleſs and unprotected man, and the judicial vengeance to which he was doomed! It is ſome time, ſir, ſince we have ſeen the ſame judicial zeal extending the proviſions of the ſedition act, by diſcovering that it had juriſdiction of the lex non ſcripta, or common law! It is ſome time, ſince we have ſeen the chief executive magiſtrate dooming to humiliation 'in duſt and aſhes' a great portion of the American people! Yes, ſir, theſe terrific ſcenes are paſt. Theſe noiſy declamations, and this judicial zeal, are huſhed into ſilence by the audible pronunciation of the public will. He ſaid, we may even indulge the hope, Mr. Chairman, that our pulpits will not much longer be converted into political forums; and that the meek and humble teachers of the Chriſtian faith, inſtead of ſtirring up all the angry and deſtructive paſſions of the human mind, will ere long, once more condeſcend to teach thoſe precepts of humility, forbearance and toleration, taught them by their divine preceptor. Thoſe precepts ſo eſſential to the diſcovery of truth, by pre-diſpoſing the mind to deliberation and reflection.

The preſent executive purſuing the general good, and ſupported by the general confidence, ſtands not in need of theſe artificial aids. He invites inquiry. He knows, that the higheſt encomium, which can be beſtowed upon his adminiſtration would flow from a correct underſtanding of his motives and his conduct. Inſtead of calling in the aid of ſedition acts, to the defamatory ſcribblers, who appear to increaſe in numbers, and in impudence, in proportion to the deſperation of their cauſe, and their ſecurity from puniſhment, he has ſaid, 'let them ſtand undiſturbed, as monuments of the ſafety, with which error of opinion may be tolerated, where reaſon is left free to combat it.' Under theſe auſpicious circumſtances, he ſaid, he proceeded to the diſcuſſion of the important queſtion before us with pleaſure, conſcious that he was ſubject to error, and knowing, that if he did *err*, it was *his intereſt* to be corrected; confident, alſo, that there was a maſs of intelligence and calm reflection at this time in the people of the United States, competent to detect the error, and apply the corrective. Impreſſed with theſe ſentiments he differed widely in opinion with the gentleman from North-Carolina, (Mr. Henderſon) who had ſaid, 'that if the bill upon your table ſhould paſs into a law, he would not heave a ſigh or drop a tear upon the inſtantaneous demolition of the whole conſtitution. The ſooner it was done the better.' Sir, this gentleman and his aſſociates in political opinions, have termed themſelves 'lovers of order.' Is this an evidence of the practice, we are to expect from thoſe gentlemen, under their profeſſions ſo long, and ſo loudly made to the people of the U-

nited States? Cannot that gentleman find some reason to regret that sentiment, in the confidence due to the intelligence and patriotism of a great portion of his fellow citizens, who differ with him on that point? Or do the gentleman and his political associates claim with presumptuous vanity, not only the appellation of the exclusive 'lovers of order,' but also the monopoly of all the intelligence and patriotism of te nation? He had too much respect for gentlemen, to suppose they would place their pretensions on this ground. He begged pardon of the committee for this digression. He had been impelled to it from the course the debate had taken, and particularly from the indecorous attacks made on the president of the United States. He said, he would now proceed to examine whether the repeal of the judiciary law of the last session of congress would in any respect violate that salutary and practicable independence of the judges, which was secured to them by the constitution. He said, the term independence of judges or of the judiciary department, was not to be found in the constitution. It was therefore a mere inference from some of the specified powers; and he believed in the meaning of gentlemen, and to the extent they carry it, the term is not to be found, either in the spirit, general character, or phraseology of any article or section of the constitution. He meant, to give the constitution the most candid interpretation in his power, according to the plain and obvious import of the English language. He should discard in his interpretation, the terms "common defence and general welfare," which had been resorted to by some gentlemen. He considered these words as containing no grant of power whatever, but merely the expression of the ends or objects to be effected by the grants of specified powers. He therefore protested against drawing any aid whatever from them in his construction of the instrument. He said he had read through the whole constitution to enable him to form his opinion upon this question, for fear there might be in some hidden corner of it, some provision, which might demonstrate the unconstitutionality of the present bill; and if so, although he should lament such a provision, he would instantly give up the bill. But his researches had terminated in a different result. He said he found from the general character of the constitution, that the general will was its basis—the general good its object—and the fundamental principle for effecting this object, was the responsibility of all public agents, either mediately or immediately to the people. He said the context of the constitution would demonstrate the two first points, which he begged to read.

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America."

Here we find the constitution founded upon the will of the people; and the object declared to be, the good of the people. Through the whole body of the constitution may be discerned the responsibility of all public agents, either mediately, or immediately, to the people. This responsibiiy results, 1st, from the division of authorities of all and each of the departments—3d. From periodical appointments of the public agents. The first clause declares there shall be a congress, to whom the business of legislation is confided. This Congress is to consist, of a house of representatives to be chosen by the people immediately, and responsible to them at the end of every two years; and a senate to be chosen by the legislatures of the different states, who are chosen by the people; one third of the senators to be chosen every two years, and responsible at the end of every six years. The executive power is vested in a president, who is chosen by electors who are chosen for that express purpose by the people, and responsible at the end of every four years. The president may be considered as immediately responsible to the people, although chosen through the medium of electors: Because it is found in practice, that the electors are constrained to avow the vote they intend to give before they are chosen, and the people have generally made their elections with a view to that object.

Thus then, are formed two departments, their powers specified and defined, the times for exercising their powers fixed, and indeed a complete organization for the execution of their respective powers without the intervention of any law for that purpose. A third department, to wit, the judiciary department, is still wanting. Is that formed by the constitution? How is that to be formed? It is not formed by the constitution. It is only declared that there shall be such a department; and it is directed to be formed by the other two departments, who owe a responsibility to the people. Here there arises an important difference of opinion between the different sides of this house. It is contended on one side that the judiciary department is formed by the constitution itself. It is contended on the other side, that the constitution does no more than to declare that there shall be a judiciary department, and directs, that it shall be formed by the other two departments under certain modifications. Article 3. Sec. 1. the constitution has these words, "The judicial power of the United States shall be vested in one supreme court and in such inferior courts, as congress may from time to time ordain and establish," Here then the power to ordain and establish inferior courts is given to Congress in the most unqualified terms, and also to ordain and establish. "one supreme court." The only limitation upon the power of congress in this clause, consists in the number of supreme courts to be established; the limitation is to the number of one, although that is an affirmative and not a negative expression. The number of judges—the assignation of duties—the fixing compensation—the fixing the times when, and places where the courts shall exercise their functions, &c. are left to the entire discretion of congress. The spirit, as well as the words of the constitution, are completely satisfied, provided one supreme court be established. Hence, when all these essential points in the organization and formation of courts is entrusted to the unlimited discretion of congress, it cannot be said, that the courts are formed by the constitution. For further restraints therefore upon the discretion of congress, the remaining part of the same section must be consulted. Here he begged leave to remark, that he had often felt a veneration for the wisdom of the sages, who formed this constitution, considering the difficulties they had to encounter, resulting from the various local prejudices and local interests of the different parts of the United States, and the vast variety of opinions, which the subject presented, it was almost wonderful to conceive how they should have hit upon a system so admirably calculated to protect and to promote the general interests, when administered according to its original meaning and intention. He could not go so far, as to say, it was perfect. He admitted, like other human productions, it was stamped with the common sensibility of man. That he wished however, to see no radical changes in its principles. He wished to hand it down to posterity with those amendments only, which experience should suggest, and which would grow out of the continually varying state of the nation. He said it was not only remarkable for the wisdom of its arrangements, but the correct and technical mode of expression. The part of the section now to be examined, was an example of the justice of both these remarks.—The words are, "The judges, both of the supreme and inferior courts, shall *hold* their offices during good behaviour, and shall at stated times, receive *for their services a compensation* which shall not be diminished *during their continuance in office.*"

The first part of this sentence respects the relationship between the executive and the judiciary departments—It respects the creation of offices, the fixing the compensation of the officers or judges, and their continuance in office. These are the peculiar attributes of the legislative department. Accordingly the most correct and technical words are used in relation to both these objects.—The term *hold their offices during good behaviour*, relates merely to the executive department. The term hold, is the common technical word, used to convey the idea of tenure.—Tenure requires two parties. The one *granting*, the other *holding or receiving the grant*. Let the enquiry be made, of whom do the judges *hold?* The constitution furnishes the answer, of the president. One of the most obvious rules in the construction of instruments of writing is, that the whole of it must be taken together, and not one particular part by itself. The following words will be found in the 2d section of the 2d article of the constitution. "And he, to wit: the president, shall nominate and by and with the advice and consent of the senate shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law." In the 3d section of the same article are these words, "and shall, to wit: the president, commission all the officers of the United States." These three sentences contain the relationship between the executive and judiciary departments so far as respects the objects of the present discussion.

To ascertain the real meaning and import of these sentences, they should be read in connection with each other, excluding therefrom all intermediate words not immediately bearing on the subject. In that case the constitution would read thus. 'He (to wit) the president shall nominate and appoint the judges of the supreme court and all other officers of the United States, and shall commission all the officers of the United States. The judges both of the supreme and inferior courts shall hold their offices during good behaviour.' It may be now asked, if this case of the judges of the supreme and inferior courts be not, an obvious exception out of the general presidential discretion of appointing and commissioning all officers of the United States during pleasure? After the government has been in operation above twelve years, and the principle of commissioning all executive officers during pleasure has been practised upon during the whole of the period by the executive as well as the legislative department, the propriety of that practice is for the first time now become questionable. It is said that the right to commission during pleasure, is by implication. It is readily admitted that there are no express words in the constitution to that effect; but the inference from the words which are here, is almost as strong as the words themselves, if they had been inserted. The president is authorised without limitation, to 'commission all the officers of the United States.' The question arises, by what tenure? The reply is, according to his pleasure, or discretion. It was not difficult to foresee, that if the president was fully empowered to commission as he pleased, he would please to commission during his pleasure. The legislature has no more controul over an officer who holds an executive commission during the pleasure of the president, than over a judicial officer holding his office during his good behaviour. The remedy given by the constitution being the same in both cases, (to wit) impeachment. Nor is there any reason why the office of the one should be less subject to the discretion of the legislature than the office of the other, as it seems to be universally agreed, that although the legislature cannot deprive an executive officer of his office in any other way than by impeachment during the continuance of such office, yet the office itself is always subject to be abolished. The same reasoning will hold with equal force respecting a judge and a judicial office. The reason why the executive is proscribed from the removal of a judge, is to secure to the judge a complete independence of the president, who is not responsible for the discharge of judicial duties; but the removal is perfectly correct in the case of an executive officer, because the president is highly responsible for the due discharge of executive duties. The legislature is not responsible for either, and of course stands in the same constitutional relation to both. This appears obvious from furnishing to the legislature the same means of removing both, as will appear by the 4th section of the 2d article in the following words: "The president, vice-president, and all civil officers of the United States shall be removed from office by impeachment for, and conviction of, treason, bribery, or other high crimes or misdemeanours." He now begged to call the attention of the committee particularly to the last clause of the sentence, which ascertains the constitutional connection between the *legislative* and *judicial* departments, so far as its respects the limitation of the legislative, in the exercise of the power committed to it, for the organization of the judicial department. He should place particular emphasis on these words of the constitution in the exposition he proposed to make. The words are 'and shall at stated times, receive for *their services*, a *compensation* which shall not be diminished, *during their continuance in office.*' The first part of this section having given to congress the power of creating courts, ascertaining the number of judges, &c. these last words may be considered as containing explanations and limitations of the general power of congress; as was the foregoing part of this sentence a limitation of the general executive power. And accordingly the most correct terms are used for limiting legislative discretion, and explaining its objects; according to the words of this sentence, the judge is to receive a compensation, *for his services.* To whom are these services to be rendered? To the people, for the benefit of the people. Who is to judge of the necessity or utility of these services? The constitution has ordained, that congress, or in other words, the representatives of the people, shall be the tribunal. Suppose there should be no services required, none for the judge to perform, or that congress should so think and determine. Is the judge intitled to compensation? He is not. The condition of service for the benefit of the people, is the express consideration upon which the compensation accrues. No service is rendered; the competent tribunal says, there is none required, of course, no compensation accrues. The judge is entitled to receive none. On this point, an obvious and most important difference of opinion exists between the two sides of the committee. On one side it is contended, that the office is the vested property of the judge conferred on him by his appointment, and that his good behaviour is the consideration of his compensation, so long therefore as his good behaviour exists, so long his office must continue in consequence of his good behaviour, and that his compensation is his property in virtue of his office, and therefore cannot be taken away by any authority whatever, although there may be no service for him to perform. On the other side it is contended, that the good behaviour is not the consideration upon which the compensation accrues; but services rendered for the public good; and that if the office is to be considered as a property, it is a property held in trust for the benefit of the people, and must therefore be held, subject to that condition, of which congress is the constitutional judge. Mr. G. said, considering the boundary line between these conflicting opinions, to be the boundary line between offices held for public utility, and offices held for personal favor, he could not bestow too much attention upon this part of the discussion; for if the construction gentlemen contended for should prevail, in vain have the framers of the constitution with so much jealous circumspection erected so many ramparts against the introduction of some of these offices in the government of the U. States. A sinecure office is an office held without the condition of service; often for past services already compensated; often for present favor, without the condition of any service. For the purpose of excluding from the federal government all sinecure offices, the sages who formed the constitution have through every part of it connected services and compensation, and they ought never to be separated in construction. The 6th section of the 1st art. is in these words: 'The senators and representatives shall receive *a compensation for their services* to be ascertained by law, &c.' and so far has this principle of the rendition of service been carried, that the service of the senate and representatives is to be rendered every day, and unless they do daily render service, they are not entitled to their day's compensation. In the 1st section of the 2d art. of the constitution are these words: 'The president shall at stated times, receive for *his services a compensation*,' &c. In the 3d art. 1st sect. are these words: 'And shall (to wit, the judges shall) at stated times, receive *for their services a compensation*,' &c. In the 41st sect. of the act under which the judges claim their compensation are these words: 'That each of the circuit judges of the United States, to be appointed by virtue of this act, shall be allowed as *a compensation for his services*,' &c. These expressions demonstrate the importance of coupling the service and compensation of office. But the jealous caution of the framers of the constitution did not stop at choosing the best affirmative expression for excluding this doctrine of sinecure offices, they also applied negative restraints.

[*Mr. Giles's speech to be continued.*]

Monday, March 15.

Mr. Gregg, from the committee, to whom was committed the subject of military stores, reported that the quantity of military articles on hand, as stated in a message of the president, is adequate, and that it is inexpedient to make any new appropriations for additional purchases.

Mr. Randolph called for the order of the day on the bill for repealing the internal taxes.—When,

Mr. Griswold moved that the order of the day on the bill for repealing the internal taxes be postponed till to-morrow, for the purpose of previously taking up the resolution moved by him for making compensation for French Spoliations.

On this motion a debate ensued, which continued till near 3 o'clock.

The motion of Mr. Griswold was advocated by Messrs. Griswold, Lowndes, John C. Smith, Dana, Bayard, and Rutledge—and opposed by Messrs. Sam. Smith, Mitchell, Gregg, Eustis and Bacon. Then the question was taken by yeas and nays, and lost. Yeas 33—Nays 54.

The house then went into committee of the whole,

Mr. VARNUM in the chair,

On the bill for repealing the internate taxes. The first section was read as follows:

"That from and after the day of next, the collection of duties on stills and domestic distilled spirits, on refined sugars, licenses to retailers, sales at auction, pleasurable carriages, and stamped vellum, parchment, and paper, shall be discontinued, and all acts and parts of acts relative thereto shall be, and the same hereby are repealed."

When Mr. DENNIS moved to strike out the following words:—"*On refined sugars, licences to retailers, sales at auction, pleasurable carriages, and stamped vellum, parchment and paper.*"—His object being to repeal all the internal taxes excepting those on stills and domestic distilled spirits.

Mr Huger called for a division of the question on each of the articles proposed to be striken out, stating that he should be in favor of some and against others.

The question was then taken on striking out refined sugars:

And lost—Yeas 24—

On striking out *licenses to retailers &c*

And lost without a division.

On striking out *sales at auction.*—

And lost—Yeas 25.

On striking out *pleasurable carriages*:

And lost—Yeas 22.

On striking out stamped vellum, parchment and paper:

And lost—Yeas 14—Nays 52.

Mr. Randolph moved several amendments which only affected the details of the bill.

The committee then rose, reported progress, and asked leave to sit again; which was granted—when Mr. Randolph's amendments were ordered to be printed.

NEW-BEDFORD, Feb. 25.

Extract of a letter from Rotterdam dated in December.

"With letters from Madrid, information has been received, that his majesty the king of Spain has permitted the navigation of foreigners with Spanish and foreign produce or merchandize, to persons of respectability on their paying for the licence at the following regulations:

1st. When the expedition is made from a neutral port with a neutral vessel and foreign produce (not contraband) and to return to a neutral port, the duties must be paid there in the hands of the Spanish consul, and in America to the collectors of the custom-house regulated according to the laws on Spanish goods on board of Spanish vessels, paying 1032 reals de vellons per ton in specie.

2d. When the expedition is made to a Spanish port, with foreign merchandize or produce, to return to a neutral port with American produce, the duties to be paid are 882 reals de vellon per ton.

3d. When the returns are made to a Spanish port, the duties are 782 reals de vellon per ton.

4th. When the expedition is made with Spanish goods from a Spanish port, with a fixed return to the same with American produce, are 582 reals de vellon per ton. In this case the neutral vessels are allowed in going out, as well as on their return, to touch at a neutral port, if necessity requires. These duties are also payable in specie."

Extract of a letter from an officer on board the United States frigate President, Commodore Dale, to his friend in New York, dated

"TOULON, Dec. 23d.

"We proceeded, as I wrote you, from Malaga to Algiers—from thence to Minorca, where we lay twelve days; after which we got under way to proceed to the United States; but unfortunately for us, as we were coming out of the harbour of Mahon, the ship having about six knots way upon her, she struck upon a rock—the shock was great—almost every person on board thought she was going to the bottom; however, we proceeded on, until we got clear of the harbor. The commodore called a council of officers, who were of opinion we might proceed in safety, but that night came on a very severe gale, which continued with very little intermission for four or five days, during which time we were several times alarmed with the report that the ship had sprung a leak, although without foundation. He, however, not knowing the damage she had sustained, determined to bear up for this place, where we arrived on the 6th inst. We are now in dock, with the ship stript, and disembarking our stores, in order to heave the ship down, which we shall not be ready to do before the first of January, if then. After the damage has been repaired (which is much more considerable than we at first thought) it will be from the first to the middle of February, before we shall be ready to leave the port; so that you may not expect us in the United States much before the first of April.

NEW-YORK, March 19.

French Papers to the 1st February, inclusive, were received at the office of the MERCANTILE ADVERTISER last evening by the brig Clio from Bourdeaux. They are filled principally with local circumstances, interesting only in the interior of the Republic.

Buonaparte has arrived at Lyons, to attend the deliberations of the Consulta. He has been every where received with the liveliest demonstrations of joy; and is represented as devoting much of his attention to the revivification of commerce and manufactures. He has signified his determination to visit most of the principal cities of France for this express purpose.

The Definitive Treaty with England was not signed; though this "desirable event," as the Paris papers express it, was hourly expected.—The British Government had two frigates at Plymouth who were ordered to hold themselves in readiness to carry the intelligence, as soon as it should be known, to the Cape of good hope and the East and West-Indies.

Governor Wall, whose apprehension we mentioned some time ago on a charge of murder, committed whilst he was in possession of office in the year 1760 was tried at London on the 14th January, found guilty, and sentenced to be hanged.

PHILADELPHIA, March 17.

Yesterday afternoon arrived at this port, the schr. Lydia, captain Brown, in 23 days passage from Cape Francois.—A morning paper gives the following detail by this arrival:—

In the Lydia came passenger a French officer recognized as commissary, whose attention, we understand, will be directed towards necessary supplies for the French troops. This gentleman states, that a proclamation has been issued for the apprehension of gen. Toussaint and general Christophe, and a general pardon to those who would acknowledge and submit to the government of General Leclere. Troops had been dispatched in various directions, and prisoners were daily bro't into the Cape, some of whom were immediately shot, Rumour stated, about the time of the Lydia's sailing, of an action having taken place between the French army and the blacks, in which the latter were completely worsted. Their loss, however, on this occasion, is mentioned so considerable, that from the known temper of the blacks courage, doubt influences us not wholly to subscribe to the statement. We do not say, it is not so, we only say, it is not clear enough to credit it. It is but just to remark, at the request of Capt. Brown, that the captains of the American vessels were particularly active in furnishing a number of boats to facilitate the disembarkation of the French troops, and by their assistance much property was saved. We are happy from the above arrival also to learn, that there were fewer lives lost than was at first reported. This mitigates greatly the already too hard fate of the wretched sufferers at the cape and softens those warm feelings of indignation and horror awakened by an exaggerated account of female, and even infantine murders. American produce was from the foregoing event in demand; but colonial produce was very scarce. Flour was purchased at 17 dollars per barrel. Lumber was exorbitantly high. American vessels were generally embargoed.

In addition to the foregoing, we understand, that at the time of captain Brown's departure from the Cape, tranquility prevailed in the town. The custom house was opened, and the American vessels preparing to sail—That on the 19th ult. general Leclere, at the heard of his army had marched against Toussaint; that they had obtained possession of the following places: Port-de-Paix, Port Republican, Fort Dauphin, Cape Nichola Mole, Jean Rabel, and St. Jago, the commanders of the three last places having surrendered to the commander in chief, were by him continued in their respective ranks, and employed in the army. Several negroes, apprehended in incendiary attempts, had suffered military execution.

WASHINGTON CITY March 19.

The Executive has received authentic information that the trade between the United States and St. Domingo, except with Cape Francois and Port Republican, in that Island, is for the present suspended.

The undersigned Commissary General and charge des affairs of the French Republic, gives information to all persons whom it may concern, that in consequence of the revolt of the negroes in St. Domingo, all manner of intercourse is, by order of the commander in chief for the French republic, in the island prohibited, to foreigners, with any other part of the island but the two ports of Cape Francois and Port-Republican. Cruizers will arrest all foreign vessels attempting to enter any other port, and to communicate with the revolted negroes to carry either ammunition or provisions to them; such vessels shall be confiscated and the commander severely punished, as violating the rights of the French republic and the law of nations.

Fair and regular traders will meet with encouragement and protection at the two above mentioned places from the General in Chief and subordinate authorities. The intercourse between the United States and these two ports is left open to the American trade. It will be adviseable for merchants who make shipments to the colony, and wish to meet with no interruption by incurring suspicion of improper conduct, to take proper certificates from the commissaries or commissarial agents of the French republic, in the United States, who are instructed to deliver them to the applicants.

Given at Georgetown, Columbia District, the twenty-seventh Ventose, tenth year of the French Republic, (18th March, 1802.)

L. A. PICHON.

The French Frigate Bayonnaile has arrived at Baltimore, the capt. whereof came on Wednesday to this City. The Bayonnaile left St. Domingo 6 days later than our advices from Mr. Lear.

We learn that the French troops had met with no obstacles to their progress and that Christophe & Dessalines, the two chiefs, subordinate to Toussaint had been taken prisoners.

On the 17th of February, a cessation of open hostilities was announced, which was to last for four days, when a general attack of the blacks was to take place throughout the whole extent of the island, unless the blacks submitted.

THE SUBSCRIBER

HAS for Sale at his Lumber-Yard at Rockets Landing, Ranging Timber and Spruce Pine Spars, fit for making fire ladders and scaffolding poles; large and small Scantling; Plank and Boards of different sorts; Cypress and Juniper Shingles; Stone Lime, in hogsheads; Tar, in barrels; and a large quantity of Cedar Posts.

JOHN LESTER.

Rockets Landing, 26th March, 1802.

The Virginia Gazette.

—RICHMOND—

FRIDAY, MARCH 26, 1802.

From the CONNECTICUT COURANT.

COMMUNICATION.

The public has already been informed that *Bill Fowler*, otherwise called general Fowler, the bell-weather of democracy in the town of Guilford, and its neighborhood has lately had the misfortune to pass counterfeit money, knowning it to be counterfeit. And that the honorable superior court, being assured of the fact by the oath of twelve "able, judicious freeholders," have charitably furnished him with a letter of recommendation to the keeper of Newgate, and procured him a handsome establishment in the *nail manufactory* for two years.

To this information I beg leave to add two or three particulars, which in justice to the general and the public, ought to be known and recorded:

Be it remembered, then, for the honor of the general and his party, that he has been for several years past, not only a leader but a teacher among the democrats—one of the very "chief apostles" of republicanism. And that the whole mass of democracy in the eastern part of the country of New-Haven, owes its creation and preservation to the joint labors of *himself* and *Doctor Shewbelly*.

Be it also remembered, that this self same general has been, for many years past, an object of the most violent persecution, abuse and slander, among the *enemies of the people*. To prove this without multiplying facts, I beg leave to make the following short and simple statement. A few years ago, A. C. esq. of Guilford, a notorious aristocrat, publicly, and solemnly, and repeatedly declared, that general Fowler was a *thief!* And in an action of slander, brought by the general to vindicate his character against this scandalous charge, the said A. C. esq. with the most provoking assurance, *confessed* in open court, that he had made the charge, and adding *insult injury proved it to be true!!*

Let it also be remembered, That this general Fowler was the *sole* representative from the town of Guilford to the famous Wallingford convention in March last.

And now, *be it remembered*, That citizen *Reuben Stone* of Litchfield, one of the three *honorable* delegates from that town to the aforesaid Wallingford convention, has within a few weeks past, committed an unlucky *mistake*, called in our law—*forgery*. (Alas! all men are liable to *mistakes!!*). But citizen Stone, not having a taste, like general Fowler, for the *nail making* business, has sought relief from his misfortune in the "manual exercise of heels," and has actually left democracy in Connecticut to manage its concerns without his aid. He has set his face westward. It is supposed, that the friends of the people have furnished him with recommendations to the council of appointment in New-York, or to governor M'Kean. If so, the doors of honor and confidence will soon be burst open to receive him.

P. S. As it is important, that the people should be informed of all occurrences, intimately connected with the triumph of reason and republicanism, I beg and pray, that all the republican printers in the United States would insert the above in their useful papers.

FROM THE AUGUSTA HERALD.

To the President of the United States.

SIR,

So much has been written on the inconsistency of your conduct, that it is unpleasant to add any thing more, but your appointment of William Stephens to the office of District Judge for the District of Georgia, is such an indelicate procedure as your reply to the New-Haven merchants, that I cannot but enquire whether in the filling this office, "time was taken, information was sought, and such obtained as could leave no room to doubt of his fitness."—Sir, until you return to that state of things, when the only questions concerning a candidate shall be, is he honest, is he capable, is he faithful to the constitution? and while you are lessening private distress by extending your correctives to and revolutionary adherence to our enemies, it is proper you should be in this manner informed of the public characters of men, that you put in office, and their delinquency, and anti-revolutionary adherence to our enemies—This Mr. Stephens was Chief Justice of the State of Georgia, and Lieutenant Colonel of the Chatham County Militia, when he deserted to the British army during the revolutionary war, his name is recorded in the act of confiscation and banishment, and in the amercement law of Georgia—Do you mean sir, to begin your career with such men, can you expect no cordial co-operation, but from men of this character, have you lost all confidence in the American Revolutionary Citizens?—When we look back to the many veterans of the revolution, whom you have removed from office, and offices too which they needed, and when you make such appointments as this, what are the citizens of America to expect from such an administration? Is this what you call asserting some rights in the majority also? You say," the rights of our fellow citizens to represent to the public functionaries, their opinions on proceedings interesting to them, is unquestionably a constitutional right, often useful, sometimes necessary, and will always be respectfully acknowledged by me.

If you are kept in ignorance by your advisers, surely you ought to be thankful for information given you, and not only respectfully, but gratefully acknowledge the favor—and whenever antimely attachments you may have formed for foreigners, you ought to be careful that they do not get too far into your confidence, it will be most prudent for you to expel from your councils, both Britons and Genevans. America must be ruled by her own sons.

A CITIZEN.

Savannah, 1802.

Extract of a letter from Port Republican, to a gentleman in Wilmington, (Del.)

"A French frigate appeared before Port Republican the 2d of February, at 10 o'clock in the morning, bringing dispatches for general Toussaint. The next day the fleet entered, consisting of six ships of the line and two frigates. The admiral was requested to remain in the out harbour, till they should hear from general Toussaint, then absent.

"Things remained in this situation for two days, when the admiral being informed by a white man, who made his escape, that the negroes were murdering and plundering the white inhabitants, landed his troops, and attacked Fort Bifoton, which made no resistance, and was delivered by the commandant to the French troops. The entrance of the town by fort Leogane, was attended with some resistance, but was carried by the French bayonets. The confusion of the negroes in their retreat was so great, that they had not time to set fire to the town. The wretched inhabitants were carried off and murdered by these savages, and two hundred are missing. The plain was set on fire, but a great number of the plantations were preserved by the good disposition of the negroes of that place.

"Aux-Cayes has been preserved, and delivered to the French forces, by general La Plume, who has deserted the party of Toussaint. Many other black generals have done the same, and negroes are daily deserting the banners of the savage monster. L'Archaye, Leogane, and Croix des Bouquets, have been consumed. St. Mark and Gonaives seem to be the retreat of general Toussaint, and it is very much wished that he would offer resistance.—The French forces are 25,000 in number, and reinforcements are daily expected. Admiral Gantheaume has already arrived with 3000 men. The seat of government is to be at Port Republican, where general Leclerc is expected."

We are authorised to assure the public, that Mr. King has concluded with the British government an arrangement for the settlement of the dispute respecting the 6th and 7th articles of the treaty of 1794.

The United States are to pay a sum agreed upon in lieu of their engagement under the 6th article in three instalments, one upon the exchange of the ratification, the others in one and two years, without interest.

The commission, in London, immediately to re-assemble, and to proceed in its duties, according to the provisions as the 7th article, only that it awards, instead of being payable at the times it might appoint, shall be payable in three equal instalments, corresponding with those to be paid by the United States. [*Phil. paper.*

On the 1st inst. his Excellency Governor St. Clair, left this place for the City of Washington. We learn that he is gone for and to answer charges of a very serious nature, that are exhibited against him. [*Chillicothe paper*]

ERRATA.

In the Address of GEORGE HAY, Esq. to the Freeholders of the city of Richmond, published in last Tuesday's paper, 2d page of the 5th paragraph, for "pervading the system," read "*pursuing* the system."

DIED]—On the 19th instant, after a painful illness, Miss ELIZABETH SKIPWITH, eldest daughter of Colonel *Henry Skipwith*, of Cumberland county. The exemplariness of her life, the patience of her sufferings, and the serenity of her last moments, are truly worthy the imitation of her surviving friends.

Manchester Turnpike Company.

Notice is Hereby Given,

THAT the Stockholders to the said Company are requested to attend at Mr. *Zachariah Brooks'* Tavern in this place on Saturday the 1st of May next, at 11 o'clock, to choose five Directors agreeable to law.

THE MANAGERS.

Manchester, March 24, 1802. 4w.

100 *Dollars Reward.*

RAN away from the subscriber, living in Amherst county, about five months ago, a Negro Man named

BILLY:

He is 29 years of age, about 5 feet 10 inches high, and of a tawny complexion. He was purchased of Mr William Cenwick of Richmond. It is probable he may be now lurking in or about the neighborhood of Petersburg, as his mother resides in that place. The above reward will be paid to any person who will apprehend and deliver the said runaway to

THOMAS GIBBS

Amherst, March 24, 1802. 60w.

Land for Sale.

FIVE Hundred Acres, adjoining the land of John Wickham, esq. in the county of Henrico, distant about 10 or 11 miles from Richmond. One hundred and twenty acres are of the best James River low grounds, eighty acres cleared, part of which is second low grounds, and three hundred acres wood land. Any person purchasing, will have the privilege of sowing wheat in the fall, and possession given next Christmas. One fourth of the purchase money to be paid down, one fourth in 6 months, one fourth in twelve months, and the remaining one fourth in 18 months. If this land is not sold at private sale before the 15th of May next, it will on that day be offered for sale at public auction at the Eagle Tavern in the city of Richmond. Terms may be known by application to Doctor JOHN GRINGAN, in the city of Richmond.

March 24, 1802.

NOTICE!

BY virtue of a Deed of Trust, executed by the late Francis Lockett, sen. dec. for the purpose of securing the payment of a debt therein mentioned, due to Mr. Robert Craig, WILL BE SOLD at public auction, for ready money, on Thursday the 15th of April next, at the house where the said Lockett, dec. lived,

Seven likely Negroes,

or as many of them as shall be sufficient to satisfy the said debt with the expences of sale, &c.) The sale will commence at 12 o'clock in the forenoon.

W. BALL,
J. HENDRICK.

Manchester, 24th March, 1802. [td.]

THE SUBSCRIBER

INTENDS to PRACTICE in the Court of Chancery which will be holden in Williamsburg.

Philip Norborne Nicholas.

Richmond, March 22, 1802. 4t.

Sales at Auction.

WILL BE SOLD,

ON Thursday the first day of April next, by the subscribers, at their Vendue Office, on a credit of 90 days, for Notes with approved security, about

230 Acres Wood Land,

within 6 miles of Richmond, on the main road leading to Bottom's Bridge. Any person who may wish to see the land, will please apply to Mr. Thomas Mathews.

PROSSER & MONCURE, V. M.

Richmond, March 20, 1802. 12t

NOTICE.

ALL those who may have claims against the estate of Frederick Myers, decased, are hereby informed that I am about to close my accounts with the said estate; this notice will be pleaded in bar against any claim or claims that may be brought after the 1st day of May next.

John Coke, Ex'or.

Williamsburg, March 19, 1802.

THE SUBSCRIBER

Will receive proposals until the 24th of next month (April) for the execution of the

Carpenter's Work

Of the PUBLIC TOBACCO WAREHOUSE now building in this city.

John Clarke.

Richmond, March 20, 1802. 8t

NOTICE.

In pursuance of a Deed of Trust from John Allen, to the subscribers, will be exposed to sale, for ready money, on Saturday, the 27th of this month,

The TENEMENT

IN the City of Richmond, now occupied by the said John Allen, lying on the main street, opposite to the Court-House; to satisfy a debt due to Robert Gordon & Co. The sale will be at the premises, and will commence between 11 and 12 o'clock, in the forenoon.

Charles Copland,
Robert Pollok.

Richmond, March 23, 1802. 3t

Hampden Sidney,

THE TRUSTEES of the College wish to inform the public, that the buildings are in good repair for the reception of students, and that the Rev. Archibald Alexander will soon take up the charge of the College. P[illegible] has on his return been appointed to that office. 4w

The High bred English Stallion,

DION,

WAS imported from London last fall by John Hoomes, Esq of the Bowling-Green; he was bred by Mr. Garfoth of Yorkshire, and is undoubtedly a horse of as pure blood as any in England. He was a good racer, and beat several of the best horses there; among them the famous horse Jonah, for the hand plate at York. In 1800 he run over the York course (4 miles) with Hambletonian, for the great subscription, and although the greatest possible exertion was made by the rider of Hambletonian (by whipping and spurring) yet he beat Dion only the neck, and actually refused to run with him for the gold cup at Doncaster, a few days after, which Dion won with the greatest ease, beating several good horses; this fact, the subscriber has undoubted proof of, and ready to be shewn to any one that will apply. Dion at another time, beat Mr. Cookson's sir Harry, and sir Thomas Gascoigne's Timothy, with several other horses in high repute, and was considered a horse of great speed and bottom also; for his racing (in almost every instance) was 4 miles, he was lamed early and obliged to quit the turf.

Dion, now rising seven years old, is one of the most compact horses ever seen, he is a fine bay, with great beauty, and has probably the best feet, legs, back and quarters, that were ever combined in any one horse; he measures exactly 15 hands two inches and a half under the standard, has uncommon strength and activity, and is likely to get capital race, saddle, or carriage horses. Dion will stand the ensuing season, which will commence on the first day of March next, and end the 10th day of August following, at Ampthill, (in Chesterfield county) on James River, and within six miles of Richmond, to cover mares, at two and a half guineas the leap (to be paid at the stable door) Five Guineas the season, and Ten for insuring a mare to be with foal, to be returned if such should not be the case, and the mare remains the property of the person who put her to horse, which may be discharged any time before the 10th of August next, by the payment of 20 dollars for the season, and 40 dollars to insure, with one dollar to the groom, in every instance; the best pasturage in the state (until the season is out) gratis, after which, should any mares remain, half a dollar a week will be expected; grain will be furnished at the market price, and the greatest attention paid to the mares, but no responsibility for accidents or escapes. Notes for Five Guineas the season, and for ten to insure, (payable as above-mentioned) will be expected with the mares.

ISHAM RANDOLPH.

Ampthill, February 20, 1802.

PEDIGREE.

Dion was bred by Mr. Garfoth, and got by Spadille [one of the best sons of Highflyer] his dam Faith, by Pacolet, a grandson of the Godolphin Arabian, his grand dam the famous Atalanta by Old Matchem, out of Lass of the Mill, Oroonoko, Old Traveller, sister to Clark's Lass of the Mill, Mr. Holme's Miss Makeless, by Young Greyhound, Old Partner, Woodcock, dam of the Lambton Miss Doe, Croft's Bay Barb, grand dam of the Ancaster Sterling, Makeless, Desdemona's dam, Brimmer, Dicky Pierson, son of Dodsworth, out of the Burton barb mare. The above pedigree is taken from the general stud book of England.

JOHN HOOMES.

FOR SALE,

A Tract of Land,

IN AMHERST county, (commonly called the New-Glasgow tract,) containing 431 acres, about half of which is cleared. It lies within 13 miles of two inspections of Tobacco, on James river, and two of a Merchant Mill, in an agreeable neighborhood, and is a remarkable healthy situation. The improvements are a framed Dwelling House, (for many years occupied as a Tavern) with 8 rooms and a lengthy Portico, and every necessary out house; a framed Store house, with 5, including two shed rooms, with a brick chimney; 2 framed houses, with brick chimneys, containing two rooms each; a dwelling house built of hewed logs, with a plank floor, 2 rooms below, and a stone chimney. On the same lot with this last building is a good shop for a tradesman and some necessary out houses; an orchard of near 200 choice bearing Apple trees, beside various other kinds of fruit trees, and a well enclosed garden. This land will be divided to suit purchasers, if a sale of the whole can be ensured. It will be shewn by Mr. *Richard Herndon*, living near it, and the terms made known by the subscriber, residing near Warminster, to any person inclinable to purchase. If it should not be disposed of before the 17th (it being the third Monday) of May next, it will on that day, be sold at Amherst Courthouse, to the highest bidder, on a credit of 2, 4, and 6 years, for one third of the money respectively, when further particulars and conditions respecting the sale will be made known by

Will. Cabell.

February 15, 1802. 2aw 6t.

SPORTS OF THE TURF.

NEW-MARKET.

In consequence of the elections in the different counties in this state coming on the 27th day of April, at which time the New-Market Races are advertised, and from a desire of many gentlemen of the turf also, I am compelled to alter the same to the third Wednesday in May, at which time they will certainly commence, agreeable to the former tenor, viz:

FIRST day, a Sweepstakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the 15th day of April, and no longer. Entrance to be made by letter or personal application to the subscriber. Should more than six start, the entrance money of the second best will be returned.

Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.

Third day, a purse of 200 dollars will be run for, two mile heats, entrance dollars.

And the fourth day, a Sweepstakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.

Good stables and litter furnished for race horses GRATIS.

STIRLING GARY,
Keeper of the Course.

February 14, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with ostlers and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

SEEDS.

Minton Collins,

Respectfully informs his friends and the public, that he has lately received, from the Northern States, a very general assortment of

GRASS SEEDS;

And from London, via New-York, a fresh assortment of

GARDEN SEEDS,

Which may be had at his SEED STORE, for CASH only, viz:

Red & White Clover,

Trefoile or yellow ditto,
Lucern & Timothy seed,
Burnet & Ryegrass ditto,
Bluegrass, Burden grass, & Saintfoine,
Furz or Whin seed,
Spring Tares, or Vetches,
Hemp, Flax, Rape, Mustard, Canary, and Spinage,
Large Norfolk and Summer Turnips,
Early salmon, short-top and white Turnip Radish seed,
Early Prame, Hotspur, Charlton, Marrowfat, Spanish Morotto, & Prolific Peas,
Large Windsor, long pod and Massagan Beans,
Blood red Beet, and Solid Celery.
Early York, Sugar Loaf, and Battersea Cabbage seed,
Green and Yellow Savoy do.
Large Winter, Scotch, Dutch & Madeira Cabbage,
Red Dutch to pickle,
Brussels Sprouts and Borecole,
Early and late Cauliflower,
Green, purple and white Brocolie,
Salsafie & Scorzonera,
White and [illegible] Cos Lettuce,
Indive Ice Lettuce,
Roman, Cabbage, Brown Dutch, & Grand Admiral Lettuce,
Corn Sallad,
Early Frame & long green Cucumber,
Madeira, Silver skin, Red and Welsh Onion,
Red & Orange Carriot,
Large Parsnip,
White and Green Asparagus,
Garden Cress, and Peppergrass,

With an assortment of Flower Seeds; Glass Flower Bottles; some Painted Flower Pots, and Beachers for Chimney Ornaments, and Red Garden Pots, &c.

A TREATISE on GARDENING, by a Native of this State.

Richmond, Dec. 31, 1801. (tf)

By virtue of two deeds of trust executed to the subscriber by William Mead, will be exposed to sale, at public auction, for ready money, on the premises, for the purpose of discharging a debt due to Thomas Goodwin, Esq. of Fredericksburg, and a debt due to Mr. Joseph Sandidge of Louisa; on Saturday the 27th day of March next, the

Tract of Land,

WHEREON the said Mead now resides, on Contrary River, in Louisa county, containing 216 acres, more or less and is adjoining the lands of George and Joseph Boxley, Walter Lewis, William Kimbrough, John Burrass, John Gibson and Daniel Ford.

SAMUEL OVERTON, jun. *Trustee.*

Louisa county, Feb. 8, 1802. tds.

CASH
GIVEN FOR
TOBACCO,

AT the second house below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

Dissolution of Partnership.

THE public are hereby notified, that the Partnership in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co.
In Petersburg,
DUNLOP, POLLOK, & Co.
In Manchester, and
ROBERT POLLOK, & Co.
In Richmond,

Was dissolved, on the 31st day of August last.

Mr James Dunlop will pay and receive all debts due by and to the concern, at Petersburg, as will Mr. Robert Pollok, those at Richmond and Manchester.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Petersburg, 8th Oct. 1801.

William Temple,

Has Imported by the latest arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will dispose of low, by the PIECE OR PACKAGE.

He has also just received the following Articles, for sale.

5 PIPES,
10 Hogsheads,
8 Qr. Casks,
} Genuine Old Port WINE.

3 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

Negroes for Sale.

In pursuance of a decree of the hon. the high court of chancery, in the suit of James Hunter's executor's against the representatives of Robert Coleman and others, will be exposed to sale, at Martinsburg, in the county of Berkeley, on Monday the 22d day of March, being court day,

SUNDRY SLAVES,

The property of the late Nath. Pendleton, Esq. dec. at auction for ready money, to satisfy the claim of the plaintiffs against the said Robert Coleman and others.

Edward Smith,
Richard K. Meade,
Thomas Massie,
} *Commissioners*

Feb. 24, 1802. 6w

NOTICE.

The Subscribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchase of Country Produce.

Should any business be offered in the Commission Line, it will meet due attention from *Thomas Crews*, residing in Lynchburg, and *Will. Long*, here.

Their Office is on the second story above Messrs. ELLIS & ALLAN'S Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 1st, 1802.

ROBERT GAMBLE,

TAKES this method to inform his friends, in the Country, and the public in general.—That he is provided with a convenient WARE HOUSE, for the reception of Country Produce. Those who may confide to his care, their Flour, &c. may rely on his endeavors to obtain the best Prices the Market will admit. His Charges will be moderate, and he flatters himself, his conduct will prove satisfactory.

Richmond, March 8, 1802. tf

Notice!

WHEREAS the House of HOOPER & TOLLER has conveyed to us as Trustees for the benefit of its Creditors, the whole of its Stock and Merchandize in trade, and all its outstanding debts: We therefore give notice to those indebted to said firm, that they are to make payment to us alone.

Robert Gamble,
James Brown,
Charles Macmurdo.

Richmond, 1st March, 1802. 4w.

THIRD NOTICE,

In the case of JOHN CARTER,

BANKRUPT.

WHEREAS a commission of bankrupt founded upon the statute of the Congress of the United States, passed the fourth day of April, in the year one thousand eight hundred, entituled, "An Act "to establish an uniform System of Bankruptcy throughout the United States," has been awarded and issued against *John Carter*, of Pittsylvania county, in the district of Virginia, *Merchant*, and he has been declared *Bankrupt*: and he is hereby required to surrender himself to the commissioners in the said commission named, or the major part of them, on the third and thirty-first days of March, and on the third day of April, next ensuing, at eleven of the Clock in the forenoon of each day, at the office of the *Undersigned*, lower end of Sterlingbrook-street, in the town of Petersburg, and make a full and true discovery and disclosure of his estate, real and personal, of every nature and description, to which he may be entitled either in law or equity, when and where his creditors are to come prepared to prove their debts, at the second meeting to choose assignees, and at the last meeting the said Bankrupt is required to finish his examination.

All persons indebted to the said Bankrupt, or who have any of his effects, are not to pay or deliver the same, but to whom the commissioners shall appoint.

CONRADE WEBB,
Solicitor to the Commission

Commissioner's Office, Petersburg, 20th February, 1802. } tAp.3

TO COVER,

The ensuing season at my stable at Charlottesville in the county of Albemarle,

THE HIGH BRED

English Stallion,

HAMILTON,

A blood bay, elegantly formed, near fifteen hands high, eight years old last May;

WILL be let to mares at Twenty Dollars the season, and Forty Dollars to insure a mare's being with foal, for either notes will be expected with the mares payable on the 1st of January next. Ten Dollars cash the single leap, and in every instance Half a Dollar cash to be paid to the Groom. The season will commence the 15th of March, and end the 15th of August.

Cornelius Schenk.

February 22d, 1802.

PEDIGREE.

"This is to certify that the Bay Colt "was got by Highflyer, dam by Eclipse, "from Young Cade, which was the dam "of Vauxhall (bred by Mr. Tattersall) and "bought at Lord Grosvenor's sale, 18th "May, 1795, then two years old."

(Signed)
"GROSVENOR. [Seal.]"

"31st January, 1797.

PEDIGREE CONTINUED.

"His great grand dam by the Bolton "Little John, great, great grand dam by "Mr. Durham's Favourite, by a son of the "Bald Galloway, great, great, great "grand dam, (the dam of Lord Portmore's Daffodil) by a foreign horse belonging to "Thomas Goscoigne."

"Signed JUNIUS BAKER."

"N. B. The Cade mare, the dam of "Vauxhall, was also the dam of Dul "cinea, Mambrino, Cervantes and San"cho, all first runners."—The foregoing is a copy of the original pedigree in my possession, which came over with the Bay Colt, now called Hamilton.

Thomas Wilson.

Richmond, Feb. 22, 1802. ep6t

By virtue of a decree of the worshipful court of New-Kent County, will be sold to the highest bidder, on a credit of twelve months, at New-Kent Court House, on the second Thursday in April next, being Court day,

A Tract of Land,

Belonging to the estate of John Morriss, dec'd. about two miles from the said Court house, containing one hundred & fifty acres, more or less, and subject to the Widow's Dower, which will be alloted her, before the day of sale. Separate Bonds, with approved security, will be required of the purchaser, by

The Commissioners.

March 2d, 1802.

A FEW COPIES OF

Henning's Justice,

May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer.

KNOWSLEY,

The most elegant and high formed English Horse, 15 hands 3 inches high, a fine bay, 6 years old last May, in great perfection, and as to muscular strength and beauty not inferior to any horse in the state, which will be readily acknowledged by those who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemish—will stand at my stable on *Sandy Point* the present season; and will cover Mares at SIX GUINEAS, which may be discharged by the payment of TWENTY DOLLARS on or before the 10th day of August next: TEN GUINEAS to insure a colt, and THREE by the Leap, with One Dollar to the Groom at the stable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and pasturage supplied *gratis*, equal in extent and goodness (if not superior) to any in the commonwealth, and laid out in different apartments, so as to suit Mares in foal, those that have foals, and all others. Here gentlemen will find it greatly to their interest to avail themselves of such advantages, independent of the high consideration of raising horses from so fine a stock. This horse has cost me on landing in this country upwards of seven hundred pounds sterling, which can be seen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have sold him for 170 Guineas more than the original purchase, which evidently proves the high estimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horse called KNOWS"LEY, late the property of the Prince "of Wales, was bred by me. He was "got by Sir Peter Teazle, out of Cape"lla, and was six years old last May, and "no more.

(Signed) "DERBY. [Seal.]
"Knowsley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1773, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See same book, page 182. Highflyer was got by Herod—See page 201—And so on he may be traced through a noble line of ancestors for ages past, without a single flaw in his genealogy, either on the male or female side.

This extraordinary horse ran often with great credit at two years old, and at three proved successful; and so continued until the last of the year 1800. In 1801 he was purchased for me, and sent to Virginia.—In 1798 he won a sweepstakes of 20 guineas each, for three year olds, 8 subscribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Puth forward, Sir H. Williamson's Stripling, Mr. Fletcher's g c Camperdown, Mr. G. Crompton's c. Basso, and Lord A. Hamilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He also won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowsley, who was then Mr. Field's property. See Calendar for 1798. He also won a sweepstake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tuesday May 28, a sweepstakes of 20 guineas each, (7 subscribers) then the property of Mr. Walker, was won by Knowsley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gascoigne's Maid of the Mill, and John Robinson's b. c. Abraham Newland. On Thursday the 30th following, he also won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old. Lord Belhaven's ch. h. Master Robert; 6 years old, Mr. Wentforth's Barnaby, and Mr. J. Anson's gr. h. Little Scot, 5 years old.—See Calender for 1799.

IN June, 1800, (Guilford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 stone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Winchester, July 8. His Majesty's Plate of 100 guineas was run for and won by Knowsley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Asparagus, 5 years old, 6 to 4 on Knowsley.

Lewes, August 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowsley, beating Lord Donegall's ch. c. Flugleman; four to one on Knowsley. Thursday following he one a subscription of 10 guineas each, beating Mr. Durand's Belleffima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 & 79.

Litchfield, on Thursday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 stone 7lbs. beating Mr. Heming's b. h. Ploro, ten to one on Knowsley

Notwithstanding these evidences of Knowsley's superior worth, yet it is my wish that gentlemen should be still further satisfied by a personal view of him; it is also my desire that those who are inclined to speak and act candidly, would visit me in the Spring, and take a ride over the pastures, that they may be satisfied that nothing here asserted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be answerable for involuntary escapes or accidents.